

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CHASOM BROWN, ET AL.,

Plaintiffs,

v.

GOOGLE, LLC,

Defendant.

Case No. 4:20-cv-03664-YGR

**CASE MANAGEMENT AND
PRETRIAL ORDER**

TO ALL PARTIES AND COUNSEL OF RECORD:

The Court hereby sets the following trial and pretrial dates:

PRETRIAL SCHEDULE

PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT:¹ March 1, 2023

DEFENDANT'S CROSS-MOTION FOR SUMMARY
JUDGMENT COMBINED WITH OPPOSITION TO
PLAINTIFF'S MOTION WITH ALLOWANCE FOR TEN
ADDITIONAL PAGES: March 21, 2023

PLAINTIFFS' COMBINED REPLY IN SUPPORT OF
THEIR MOTION FOR SUMMARY JUDGMENT
COMBINED WITH OPPOSITION TO DEFENDANT'S
CROSS-MOTION WITH ALLOWANCE FOR TEN
ADDITIONAL PAGES: April 12, 2023

DEFENDANT'S REPLY IN SUPPORT OF CROSS-
MOTION: April 26, 2023

HEARING ON CROSS-MOTIONS FOR SUMMARY
JUDGMENT:² Friday, May 12, 2023, at 1:00 p.m.

FURTHER CASE MANAGEMENT CONFERENCE: Monday, July 24, 2023, at 1:00 p.m.

COMPLIANCE DEADLINE RE: HIRING SPECIAL Friday, June 30, 2023, at 9:01 a.m.

¹ As discussed at the conference, the Court has waived the Pre-Filing Conference requirement for summary judgment motions.

² The parties are reminded that the Court requested briefing on the issue of whether punitive damages are recoverable where the underlying remedy sought is injunctive relief, not monetary damages.

MASTER FOR EVIDENTIARY DISPUTES (*SEE* PAGE 3):

MOTIONS *IN LIMINE*:³

Served (but not filed) September 4, 2023
Oppositions served (but not filed) September 14, 2023
File unresolved motions by September 28, 2023

COMPLIANCE DEADLINE (*SEE* PAGE 2–3):

Friday, September 22, 2023, at 9:01 a.m.

JOINT PRETRIAL CONFERENCE STATEMENT DUE:

September 28, 2023

TRIAL BINDERS TO COURT:

September 29, 2023

PRETRIAL CONFERENCE:

Friday, October 13, 2023, at 9:00 a.m.

TRIAL DATE:

Monday, November 6, 2023, at 8:00 a.m.
for Jury Trial

Pursuant to the Court’s Pretrial Instructions in Civil Cases at Section 2, trial counsel shall meet and confer at least twenty-one (21) days in advance of the Pretrial Conference. The compliance deadline on Friday, September 22, 2023, at 9:01 a.m. is intended to confirm that counsel have reviewed the Court’s Pretrial Setting Instructions and are in compliance therewith. All compliance deadlines are decided on the papers and personal appearances are not necessary. Five (5) business days prior to the date of the compliance deadline, the parties shall file a one-page JOINT STATEMENT confirming they have complied with this requirement or explaining their failure to comply. If compliance is complete, the compliance deadline will be vacated. Failure to timely comply with the compliance deadline may result in sanctions or an additional conference being set.

Parties are advised that while the Court set a trial date in this action, the trial date may be advanced if the calendar opens. Said trial date will not be sooner than eight (8) weeks after the close of discovery.

³ A motion *in limine* refers “to any motion, whether made before or during trial, to exclude anticipated prejudicial evidence before the evidence is actually offered.” *Luce v. United States*, 469 U.S. 38, 40 n.2 (1984). *See* Standing Order in Civil Cases for requirements on motions *in limine*.

Modification to the timing or extent of parties' discovery obligations under Fed. R. Civ. P. 26 and other applicable rules may be done pursuant to a separate Court Order.

As set forth above, the parties are REFERRED to a special master to resolve their evidentiary disputes. The parties shall provide the Court with the name of an agreed-upon special master by June 23, 2023, by filing a JOINT Notice. A compliance deadline is set on Friday, June 30, 2023, on the Court's 9:01 a.m. calendar. All compliance deadlines are decided on the papers and personal appearances are not required. By June 23, 2023, the parties shall file either the JOINT Notice or a one-page JOINT STATEMENT setting forth an explanation for their failure to comply. If compliance is complete, the compliance deadline will be vacated. Failure to timely comply with the compliance deadline may result in sanctions or an additional conference being set.

Furthermore, the stipulation at Docket No. 880 is GRANTED. Plaintiffs shall file their Fourth Amended Complaint forthwith. Parties shall then file a stipulation that defendants prior answer shall apply to the Fourth Amended Complaint and no further response is required.

The parties must comply with both the Court's Standing Order in Civil Cases and Standing Order for Pretrial Instructions in Civil Cases for additional deadlines and procedures. All Standing Orders are available on the Court's website at <http://www.cand.uscourts.gov/ygrorders>.

IT IS SO ORDERED.

Dated: March 2, 2023


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT JUDGE